

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FELIX W. ENDICO, Individually and Derivatively on Behalf  
of Nominal Defendant UFS. Industries, Inc.

Plaintiff,

-against-

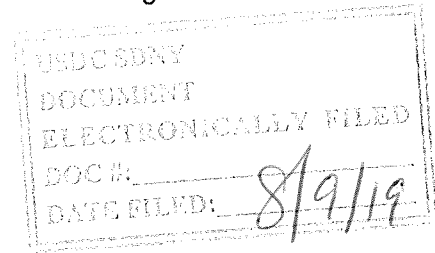
WILLIAM A. ENDICO and ACE ENDICO CORP.

Defendants

and

UFS INDUSTRIES, INC.,

Nominal Defendant.  
-----X



**STIPULATION AND  
~~PRELIMINARY~~ ORDER  
WITH RESPECT TO  
SERVICE OF PROCESS  
AND TIME TO RESPOND  
TO THE COMPLAINT**

Index No. 7:19-cv-07231

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for plaintiff Felix W. Endico and counsel for defendants William A. Endico and Ace Endico Corp. ("Defendants") as follows:

1. Defendants' undersigned counsel has accepted service of the summons issued by this Court and the complaint on behalf of each of the Defendants, and such service shall be deemed to be accepted as of August 9, 2019;
2. Defendants expressly waive any and all defenses with respect to the sufficiency of process or the service of process, and otherwise expressly reserve all other defenses; and
3. The time for Defendants to answer, move or otherwise respond to the complaint shall be extended to and including October 10, 2019.

Dated: August 9, 2019

Seward & Kissel LLP

By: s/ Jack Yoskowitz

Jack Yoskowitz

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*Attorneys for Defendants William A. Endico  
and ACE Endico Corp.*

DelBello Donnellan Weingarten Wise &  
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By: s/ Steven R. Schoenfeld

Steven R. Schoenfeld.

Steven P. DeRicco

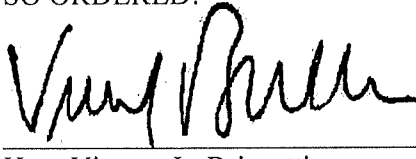
One North Lexington Avenue, 11<sup>th</sup> Floor

White Plains, New York 10601

(914) 681-0200

*Attorneys for Plaintiff Felix W. Endico*

SO ORDERED:

 8/9/2019

Hon. Vincent L. Briccetti  
United States District Judge